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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,062	01/12/2005	Wolfgang Fuchs	3167	6468
Striker Striker	7590 05/16/2007 Striker Striker & Stenby		EXAMINER	
103 East Neck Road Huntington, NY 11743			GRANT, ALVIN J	
			ART UNIT	PAPER NUMBER
			3723	3723
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			MAIL DATE	DELIVERY MODE
			05/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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•		Application No.	Applicant(s)				
Office Action Summary		10/521,062	FUCHS ET AL.				
		Examiner	Art Unit				
		Alvin J. Grant	3723				
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the	correspondence address				
WHIC - Exter after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DANSIONS of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. Depriod for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be to the solution of the	ON. timely filed m the mailing date of this communication. IED (35 U.S.C. § 133).				
Status							
1)⊠	Responsive to communication(s) filed on <u>12 January 2005</u> .						
2a) <u></u> □	This action is FINAL . 2b)⊠ This action is non-final.						
3)							
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Dispositi	ion of Claims						
 4) Claim(s) 1-9 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-5 is/are rejected. 7) Claim(s) 6-9 is/are objected to. 							
	Claim(s) are subject to restriction and/or	r election requirement.					
Applicati	ion Papers						
_	The specification is objected to by the Examine	r					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11)□	Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Ex	· · ·					
Priority (under 35 U.S.C. § 119						
12)⊠ a)	Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau See the attached detailed Office action for a list	s have been received. s have been received in Applica rity documents have been receiv u (PCT Rule 17.2(a)).	ntion No ved in this National Stage				
2) Notice 3) Information Paper	te of References Cited (PTO-892) te of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO/SB/08) er No(s)/Mail Date 1/12/05.	4) Interview Summar Paper No(s)/Mail [5) Notice of Informal 6) Other:					

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DETAILED ACTION

Specification

 The abstract of the disclosure is objected to because of the following discrepancy.

In the last line, delete "(Figure 1)".

Correction is required. See MPEP § 608.01(b).

- 2. The disclosure is objected to because of the following informalities:
 - Page 1, lines 5 and 6, delete "according to the definition of the species in Claims 1 and 2".
 - Page 1, line 25, delete, "having the features of claim 1".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Zeiler et al. 6,301,790.

Zeiler discloses a circular power saw (10), composed of a saw assembly with a housing (14) that encloses a motor and a saw blade (22), whereby the saw assembly is pivotably supported relative to a footplate (30) such that it can be adjusted between a

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minimum and maximum cutting depth, wherein the saw assembly is capable of being substantially decoupled from handling forces which act on the saw blade, in particularly from the handle (66) cluring sawing; the saw assembly is capable of being coupled via a force-dependent coupling (at 70) with cutting-depth adjusting means (46) so that, if kickback occurs, the cutting-depth adjusting means are automatically detachable, so that the saw assembly can then move out of the way in a manner that minimizes the cutting depth; it is capable of being handled and guided using only the handle, which is connected to the swivel arm (72) in a fixed manner; the saw assembly is supported on the swivel arm such that the cutting depth is adjustable independently of the handle; and wherein each, in particular, cutting depth position of the saw assembly is releasably lockable in position using an overload coupling (at 46).

Allowable Subject Matter

5. Claims 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin J. Grant whose telephone number is (571) 272-4484. The examiner can normally be reached on Mon-Fri 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alvin J Grant Patent Examiner Art Unit 3723

ajg